

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4590 of 2007()

C.C. NO. 2804 OF 2003 OF THE JFCM-I, KOCHI
CRA.NO.103 OF 2007 OF IV ADDL. DISTRICT AND SESSIONS JUDGE
ERNAKULAM

REVN. PETITIONER: APPELLANT/ACCUSED

SAINU SHAJAHAN,
W/O.SHAJAHAN, AMLU MANZIL,
PATHLUPURAYIDATH HOUSE, ERUMELI P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI.SOORAJ T.ELENJICKAL

RESPONDENTS: COMPLAINANT AND STATE

1. N.P.R.FINANCE LTD.,
41/1787, CHITTOOR RAOD, KOCHI-18,
REP. BY BRANCH MANAGER, E.NARAYANAN,
S/O.EASWARAN, AGED 29, 41/1787, CHITTOOR ROAD,
KOCHI-18.
2. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

BY ADV. SRI.S.SREEKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

=====

Crl.R.P. No. 4590 of 2007

=====

Dated this the 19th day of December, 2007

ORDER

The accused in C.C. No.2804 of 2003 on the file of the Judicial First Class Magistrate-I, Kochi-5 for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13581 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The money if any deposited before the trial court pursuant to the orders of court shall be permitted to be withdrawn by the 1st respondent/complainant.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE.

V. RAMKUMAR, J.

=====

Crl.R.P. No.

=====

Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on the **file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the

revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

rv